

423
1 BILL NO. Z-78-10- 32

2 ZONING MAP ORDINANCE NO. Z- 07-79

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. I-26.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby desig-
8 nated a M1 District under the terms of Chapter 33, Municipal Code of the
9 City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort
10 Wayne Zoning Map No. I-26, referred to therein, established by Section 33-11,
11 of said Chapter are hereby changed accordingly, to wit:

12 a part of the Northwest $\frac{1}{4}$ of the Northeast
13 $\frac{1}{4}$ of Section 28, Township 31 North of Range
14 12 East, viz: Commencing at the Southeast
15 corner of said 40 acre tract; thence west
16 along the south line of the same 19 & 84/100
17 chains to the Southwest corner of same, thence
north 4 & 98/100 chains, thence east parallel
with south line 19 & 84/100 chains to the
east line, thence south 4 & 98/100 chains to
beginning, containing 9.89 acres, in Allen
County, Indiana.

18 SECTION 2. That this Ordinance shall be in full force and effect
19 from and after its passage, approval by the Mayor and legal publication
20 thereof.
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23

24 Vivian G. Schmidt
25 Councilman
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APPROVED AS TO FORM
AND LEGALITY,

[Signature]
CITY ATTORNEY
[Signature]

Read the first time in full and on motion by J. Schmidt, seconded by

John, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice~~, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 10-24-78

Charles W. Winters
CITY CLERK

Read the third time in full and on motion by Tucker, seconded by Slavice, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 1-23-79

Charles W. Winters
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-07-79 on the 23rd day of January, 1979.
ATTEST: (SEAL)

Charles W. Winters
CITY CLERK

Winifred C. Mason JR.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of January, 1979, at the hour of 11:30 o'clock _____ M., E.S.T.

Charles W. Winters
CITY CLERK

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock _____ M., E.S.T.

Robert Elmshong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 24, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-10-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1978.

Certified and signed this
10th day of January 1979.

A handwritten signature in dark ink, appearing to read 'Luben Lazoff', written in a cursive style.

Luben Lazoff
Secretary

Bill No. Z-78-10-32

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. I-26

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

DATE 1-23-79 CONSIDERED IN
CHARLES W. CHANDLER, CITY CLERK

RECEIPT

Date

3 Oct

19

7

No.

10643

Received From

Adam Perry, Bens, Mallus

Address

Salmon 4300 H. Wayne Hall Bk.

For

fifty ~~00~~ 00 Dollars \$ 50-
regoning - RA to MI

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PARK
ADD-74

SCOTSWOLDE

APPLE VALLEY LN.

EDEN

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DR

Z-78-10-32



REZONE FROM RA TO MI

MAP NO. I-26

BY M.F. CROSLY 10-9-78



I/We Ray Meek as President of Meek Mack, Inc.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA District to a/an M-1 District the property described as follows:
A part of the Northwest 1/4 of the Northeast 1/4 of Section 28, Township 31 North of Range 12 East, viz: Commencing at the Southeast corner of said 40 acre tract; thence west along the south line of the same 19 & 84/100 chains to the Southwest corner of same, thence north 4 & 98/100 chains, thence east parallel with south line 19 & 84/100 chains to the east line, thence south 4 & 98/100 chains to beginning, containing 9.89 acres, in Allen County, Indiana.

1-26
(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Meek Mack, Inc. 3125 U.S. Hwy. 30 W 46808 President
Ry: Ramon S. Perry, atty. for Petitioner
2200 Ft. Wayne Bank Bldg.
(Name) (Address & Zip Code) (Signature)
(If additional space is needed, use reverse side)

Legal Description checked by Ramon S. Perry

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Ramon S. Perry 2200 Fort Wayne Bank Bldg. 743-9706
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
(Name)	(Address & Zip Code)	(Signature)

ADAIR, PERRY, BEERS, MALLERS & LARMORE
ATTORNEYS

2200 FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA 46802

January 9, 1979

RAMON S. PERRY
ORVAS E. BEERS
GEORGE P. MALLERS
PHILIP H. LARMORE
STEPHEN W. ADAIR
THOMAS E. RUZZO
G. WILLIAM FISHERING, III
RICHARD E. BEERS
PETER G. MALLERS, II

E. ROSS ADAIR
OF COUNSEL

TELEPHONE 743-9708
AREA CODE 219

GEORGETOWN BRANCH OFFICE
6633 EAST STATE BOULEVARD
TELEPHONE 486-2461

City Development & Planning
Room 830
City County Building
Fort Wayne, Indiana 46802


Re: Bill No. 2-78-10-32
FROM RA to M-1
Containing approximately 9.89 acres

Gentlemen:

This will confirm that neither we nor our successors or assigns will use the Burma Road as access to the property above referred to and that the action of the Plan Commission in assigning to said property an M-1 zoning designation is expressly subject to said restriction; provided further, that we also agree that if it is desired at any time in the future to use said Burma Road as access to said property, it shall be done only after improvement of Burma Road according to city street specifications.

Very truly yours,

ADAIR, PERRY, BEERS, MALLERS
& LARMORE


Ramon S. Perry
Attorney for Meek-Mack, Inc., Owner